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EXAMINER	
QUINONES, ISMAEL C	

ART UNIT	PAPER NUMBER
2686	2

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/026,426	GIBBS ET AL.	
	Examiner	Art Unit	
	Ismael Quiñones	2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 December 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-2, 9-10, 17 and 19** are rejected under 35 U.S.C. 102(e) as being anticipated by Chhatriwala et al. (U.S. Pat. No. 6,725,060).

Regarding **claim 1**, Chhatriwala et al. disclose a system, comprising: a host processor (PDA unit which comprises controlling and processing capabilities; *col. 1, lines 19-24*) having an active state that allows a user to specify a policy (Run applications such as programs, games and scheduling programs; *col. 1, lines 19-24*), and an inactive state where the host processor is inoperative to user inputs (A sleep mode responsive to cessation of activity on the PDA; *col. 2, lines 46-49*); and a device coupled to the host processor to transmit and receive Radio Frequency (RF) signals in accordance with the policy when the host processor is in the inactive state (The PDA sleep mode being independent from the wireless phone operation, such as receiving incoming calls or placing outgoing calls; *col. 3, lines 59-61; col. 4, lines 31-37*).

Regarding **claim 2**, and as applied to claim 1, Chhatriwala et al. disclose the aforementioned system, wherein the inactive state of the host processor includes the host processor in one of a power-off state, a power-down state, a standby state and a sleep state (A sleep mode responsive to cessation of activity on the PDA; *col. 2, lines 46-49*).

Regarding **claim 9**, and as applied to claim 1, Chhatriwala et al. disclose the aforementioned system, wherein the policy is defined by a user interacting with the host processor in the active state (The PDA sleep mode being independent from the wireless phone operation, such as receiving incoming calls or placing outgoing calls; *col. 3, lines 59-61; col. 4, lines 31-37*).

Regarding **claim 10**, and as applied to claim 1, Chhatriwala et al. disclose the aforementioned system, wherein the device remains powered when the host processor is inactive (Wherein the wireless phone is power-on independently from the power state/mode of the PDA; *col. 3, lines 59-61; col. 4, lines 31-37*).

Regarding **claim 17**, Chhatriwala et al. disclose a portable computer having a host processor (PDA unit which comprises controlling and processing capabilities; *col. 1, lines 19-24*), comprising an RF device (wireless telephone/pager, *Fig. 1, item 30*) to request data in accordance with a policy that stores user-defined services (i.e. personal scheduling programs) in preparation of a command from the host processor to request the user-defined services (The PDA comprising open platforms for allowing users to program or configure PDAs themselves, and run many applications such as programs, games and scheduling programs; furthermore wherein the

information from the PDA and the wireless telephone is transferred from one another; *col. 1, lines 18-24 and line 52-62*).

Regarding **claim 19**, and as applied to claim 17, Chhatriwala et al. disclose the aforementioned portable computer, wherein the host processor is powered-off while the RF device requests data in accordance with the policy (Wherein the wireless phone is power-on independently from the power state/mode of the PDA, and its functionalities such as receiving incoming calls and placing outgoing calls for transmission are not affected by the PDA's power state/mode; *col. 3, lines 59-61; col. 4, lines 31-37*).

3. **Claims 21-24 and 26** are rejected under 35 U.S.C. 102(b) as being anticipated by the pdQ Basics Handbook (80-68788-1, Rev. A).

Regarding **claim 21**, the pdQ Basics Handbook disclose a method comprising: updating a policy using a processor in a powered state (When the phone is turned on, the phone can be used to send and receive calls, to deploy palm applications; install applications; and making a data connection; and checking and responding to messages; *chapter 3, page 1; chapter 2, pages 18-19; chapter 5, page 58*); downloading the policy to a device (*chapter 8, pages 75-76*); powering-off the processor (*chapter 1, page 2*); and using the device to transmit and receive Radio Frequency (RF) signals according to the policy (Antenna; *chapter 1, page 3*).

Regarding **claim 22**, and as applied to claim 21, the pdQ Basics Handbook disclose the aforementioned method, further comprising storing the RF signals in a memory coupled to the device (Storing information which is received wirelessly, such as received calls identification

numbers, e-mails, or Internet accessed information; *chapter 1, page 7; chapter 2, page 19; chapter 5, page 62; chapter 6, page 66*).

Regarding **claim 23**, and as applied to claim 22, the pdQ Basics Handbook disclose the aforementioned method, further comprising providing power to place the processor in a powered-on state (A battery and a PWR button; *chapter 1, pages 2 and 5*).

Regarding **claim 24**, and as applied to claim 23, the pdQ Basics Handbook disclose the aforementioned method, further comprising generating a request from the powered-on processor to receive the RF signals from the device (Placing outgoing calls or sending e-mails through a wireless network; *chapter 1, page 7; chapter 2, page 19; chapter 3, page 24*).

Regarding **claim 26**, and as applied to claim 23, the pdQ Basics Handbook disclose the aforementioned method, further comprising updating the policy with a record of activity between the processor and the device (Call history records; *chapter 3, pages 26-27*).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. **Claims 3-6 and 11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Chhatriwala et al. (U.S. Pat. No. 6,725,060) in view of the pdQ Basics Handbook (80-68788-1, Rev. A).

Regarding **claim 3**, and as applied to claim 1, Chhatriwala et al. disclose the aforementioned system. Chhatriwala et al. suggest wherein the policy includes at least one selected from a group that includes intranet services, e-commerce services, user preferences, email messages, stock quotes, or Uniform Resource Locators (URLs), wherein the PDA device can be configured similarly to a PDQ^{TM} 800/1900 device (*col. 1, lines 59-65*).

In the same field of endeavor, the pdQ Basics Handbook disclose a smartphone (Both phone and organizer), which includes wireless access to e-mail applications and Internet and can modify other applications according to the user preferences (*chapter 1, page 7; chapter 2, page 19*).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have Chhatriwala et al. method for conserving power in an integrated electronic device to include means for specifying and modifying data application features in an integrated device as taught by the pdQ Basics Handbook for the purpose of providing internet and computer related data applications features to the integrated device.

Regarding **claim 4**, and as applied to claim 1, Chhatriwala et al. disclose the aforementioned system. Chhatriwala et al. suggests the system further comprising a memory coupled to the host processor and to the device, wherein the electronic device can be similarly configured to a PDQ™ 800/1900 device (*col. 1, lines 59-65*).

In the same field of endeavor, the pdQ Basics Handbook disclose a smartphone (Both phone and organizer) comprising a memory in which applications reside (*chapter 5, page 62*).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have Chhatriwala et al. method for conserving power in an integrated electronic device to include means for specifying and modifying data application features in an integrated device as taught by the pdQ Basics Handbook for the purpose of providing internet and computer related data applications features to the integrated device.

Regarding **claim 5**, and as applied to claim 4, Chhatriwala et al. in view of the pdQ Basics Handbook disclose the aforementioned system. In addition Chhatriwala et al. wherein the memory stores data received by the device when the host processor is in the inactive state (The PDA sleep mode being independent from the wireless phone operation, such as receiving incoming calls or placing outgoing calls; *col. 3, lines 59-61; col. 4, lines 31-37*).

Regarding **claim 6**, and as applied to claim 4, Chhatriwala et al. in view of the pdQ Basics Handbook disclose the aforementioned system. In addition, the pdQ Basics disclose wherein the memory stores the policy (*chapter 1, page 7; chapter 2, page 19; chapter 5, page 62; chapter 6, page 66*).

Regarding **claim 11**, and as applied to claim 1, Chhatriwala et al. disclose the aforementioned system. Chhatriwala et al. suggest the system further including an application processor having a bus coupled to the host processor, wherein the PDA device can be configured similarly to a PDQ™ 800/1900 device (*col. 1, lines 59-65*).

In the same field of endeavor, the pdQ Basics Handbook disclose a smartphone (Both phone and organizer) comprising a memory, software, applications residing within the smartphone, and other basic computer architecture features which are interconnected or attached through bus transmission paths (*chapter 5, page 62*).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have Chhatriwala et al. method for conserving power in an integrated electronic device to include means for specifying and modifying data application features in an

integrated device as taught by the pdQ Basics Handbook for the purpose of providing internet and computer related data applications features to the integrated device.

8. **Claims 7 and 8** are rejected under 35 U.S.C. 103(a) as being unpatentable over Chhatriwala et al. (U.S. Pat. No. 6,725,060).

Regarding **claims 7 and 8**, and as applied to claim 1, Chhatriwala et al. disclose the aforementioned system. Chhatriwala et al. suggest wherein the system comprises a cache memory, wherein the system's electronic device can be similarly configured to a PDQ™ 800/1900 device (*col. 1, lines 59-65*). Chhatriwala et al. fail to clearly specify where the host processor retrieves the data from the device and distinguishes cached data retrieved by the host processor (claim 7) and differentiating between the cached data for age information and live data.

However, the examiner takes Official Notice that differentiating between cached data for age information and live data is well known in the art of data processing.

Therefore it would have been obvious at the time the invention was made to have Chhatriwala et al. method for conserving power in an integrated electronic device to differentiate between aged and live data between cached data for the purpose of partially recreating or updating present received data with one with previously stored, thus increasing the processing time for reconstruction.

9. **Claims 12-16, 18, and 20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Chhatriwala et al. (U.S. Pat. No. 6,725,060) in view of Nickum (U.S. Pat. No. 6,760,600).

Regarding **claim 12**, Chhatriwala et al. disclose a portable system comprising (*Fig. 1, item 10*): a host processor having an active state to generate a policy and an inactive state where the host processor in not responsive to user inputs (A sleep mode responsive to cessation of activity on the PDA; *col. 2, lines 46-49*); and an RF device receive the policy and transmit and receive Radio Frequency (RF) signals in accordance with the policy when the host processor is in the inactive state (The PDA sleep mode being independent from the wireless phone operation, such as receiving incoming calls or placing outgoing calls; *col. 3, lines 59-61; col. 4, lines 31-37*). Chhatriwala et al. fail to clearly specify wherein the RF device is attached to a card to insert into a slot of the portable system coupled to the host processor.

In the same field of endeavor, Nickum discloses a portable communication apparatus comprising a portable computer and a cellular telephone; wherein the cellular telephone may be connected to the personal computer via a PCMCIA connection interface on the telephone, which engages a PCMCIA slot in the portable computer (*col. 2, lines 54-57*).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have Chhatriwala et al. method for conserving power in an integrated electronic device to attach a wireless communication device through a memory card as taught by Nickum for the purpose coordinating and avoiding duplicative technology with respect to communication devices and economy of space.

Regarding **claim 13**, and as applied to claim 12, Chhatriwala et al. in view of Nickum disclose the aforementioned portable system. In addition Nickum discloses wherein the RF device transmits and receives RF signals in accordance with the policy when the card is detached from the portable system (Wherein each of the components of the communication apparatus is a stand alone unit having its own functionality when separated from the apparatus; *col. 4, lines 16-18*).

Regarding **claims 14 and 15**, and as each applied to claim 12, Chhatriwala et al. in view of Nickum disclose the aforementioned portable system. In addition Nickum disclose wherein the card is a PCMCIA card (claim 14), specifically a Type II PC card (*col. 5, lines 17-20*) (claim 15).

Regarding **claim 16**, and as applied to claim 12, Chhatriwala et al. in view of Nickum disclose the aforementioned portable system wherein the RF device receives a policy to communicate with the host processor. In addition Chhatriwala et al. disclose wherein the RF device change to the active state according to a completion of transmission or reception of data (The wireless telephone is placed in a power-off mode, subsequently a user beings inputting a telephone number and attempts to place a call after inputting the number, wherein such activity triggers the transition from the power-off state to the power-on state; *col. 3, lines 29-40; col. 4, lines 26-42*).

Regarding **claim 18**, and as applied to claim 17, Chhatriwala et al. disclose the aforementioned portable computer comprising and RF device. Chhatriwala et al. fail to clearly

specify wherein the RF device is attached to a PCMCIA card that is inserted into a slot in the portable computer that houses the host processor.

In the same field of endeavor, Nickum discloses a portable communication apparatus comprising a portable computer and a cellular telephone; wherein the cellular telephone may be connected to the personal computer via a PCMCIA connection interface on the telephone, which engages a PCMCIA slot in the portable computer (*col. 2, lines 54-57*).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have Chhatriwala et al. method for conserving power in an integrated electronic device to attach a wireless communication device through a memory card as taught by Nickum for the purpose coordinating and avoiding duplicative technology with respect to communication devices and economy of space.

Regarding **claim 20**, and as applied to claim 17, Chhatriwala et al. disclose the aforementioned portable computer, wherein the RF device transmits and receives signals in accordance with the policy. Chhatriwala et al. fail to clearly specify wherein the RF device acts autonomously from the host processor when removed from the portable computer.

In the same field of endeavor, Nickum discloses a portable communication apparatus comprising a portable computer and a cellular telephone; wherein each of the components of the communication apparatus is a stand alone unit having its own functionality when separated from the apparatus (*col. 4, lines 16-18*).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have Chhatriwala et al. method for conserving power in an integrated

electronic device to attach a wireless communication device through a memory card as taught by Nickum for the purpose coordinating and avoiding duplicative technology with respect to communication devices and economy of space.

10. **Claims 25 and 27-30** are rejected under 35 U.S.C. 103(a) as being unpatentable over the pdQ Basics Handbook (80-68788-1, Rev. A) in view of Nickum (U.S. Pat. No. 6,760,600).

Regarding **claim 25**, and as applied to claim 23, the pdQ Basics Handbook disclose the aforementioned method, wherein the request is passed to the device. The pdQ Basics Handbook fail to clearly specify wherein the device is attached to a PCMCIA card that is inserted into a slot in a computer that houses the processor.

In the same field of endeavor, Nickum discloses a portable communication apparatus comprising a portable computer and a cellular telephone; wherein the cellular telephone may be connected to the personal computer via a PCMCIA connection interface on the telephone, which engages a PCMCIA slot in the portable computer (*col. 2, lines 54-57*).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have the pdQ Basics Handbook smart phone device to attach a wireless communication device through a memory card as taught by Nickum for the purpose coordinating and avoiding duplicative technology with respect to communication devices and economy of space.

Regarding **claim 27**, the pdQ Basics Handbook disclose a method, comprising: updating a policy using a processor in a portable device (When the phone is turned on, the phone can be used to send and receive calls, to deploy palm applications; install applications; and making a data connection; and checking and responding to messages; *chapter 3, page 1; chapter 2, pages 18-19; chapter 5, page 58*); downloading the policy to an RF device that is coupled the portable device (*chapter 8, pages 75-76*); and using the RF device to transmit and receive Radio Frequency (RF) signals according to the policy (Antenna; *chapter 1, page 3*). The pdQ Basics Handbook fail to clearly specify detaching the RF device from the portable device.

In the same field of endeavor, Nickum discloses a portable communication apparatus comprising a portable computer and a cellular telephone; wherein the cellular telephone may be connected to the personal computer via a PCMCIA connection interface on the telephone, which engages a PCMCIA slot in the portable computer (*col. 2, lines 54-57*).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have the pdQ Basics Handbook smartphone device to attach a wireless communication device through a memory card as taught by Nickum for the purpose coordinating and avoiding duplicative technology with respect to communication devices and economy of space.

Regarding **claim 28**, and as applied to claim 27, the pdQ Basics Handbook in view of Nickum disclose the aforementioned method. In addition Nickum discloses providing power to the RF device through the portable computer power supply once the RF device or cellular

telephone is coupled or attached to the mobile computer via the PCMCIA connection interface (*col. 2, lines 44-57*).

Regarding **claim 29**, and as applied to claim 27, the pdQ Basics Handbook in view of Nickum disclose the aforementioned method. In addition the pdQ Basics Handbook discloses the method further comprising storing data for the RF signals in a memory coupled to the RF device (Storing information which is received wirelessly, such as received calls identification numbers, e-mails, or Internet accessed information; *chapter 1, page 7; chapter 2, page 19; chapter 5, page 62; chapter 6, page 66*).

Regarding **claim 30**, and as applied to claim 27, the pdQ Basics Handbook in view of Nickum disclose the aforementioned method. In addition Nickum discloses the method further comprising coupling the RF device to the portable device to provide the data to the processor (Coupling the cellular telephone and the portable computer together and managing the functionalities all together from both wherein one can control the functionalities of the other; *col. 4, line 52 thru col. 5, line 13*).

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Macor (U.S. Pat. No. 6,463,299), Method and Apparatus an Integral Computer and Telephone System.

b. Thompson (U.S. Pat. No. 6,529,743), Universal Wireless Telephone to Modem Adapter.

c. Lintula et al. (U.S. Pat. No. 5,884,190), Method for Making a Data Transmission Connection from a Computer to a Mobile Communication Network for Transmission of Analog and/or Digital Signals.

d. Rydbeck et al. (U.S. Pat. No. 6,195,564), Method for Automatically Establishing a Wireless Link between a Wireless Modem and a Communication Device.

e. Vannatta et al. (U.S. Pat. No. 5,924,044), Modular Communication Device and Method of Providing Communications Therewith.

f. Saadeh et al. (U.S. Pat. No. 6,507,610), Cordless Modem System Having Multiple Base and Remote Stations which are Inter-usable and Secure.

12. Any response to this Office Action should be **faxed to** (703) 872-9306 or **mailed to:**

Commissioner of Patents and Trademarks

P.O. Box 1450

Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

Crystal Park II

2021 Crystal Drive

Arlington, VA 22202

Sixth Floor (Receptionist)

13. Any inquiry concerning this communication on earlier communications from the Examiner should be directed to Ismael Quiñones whose telephone number is (703) 305-8997. The Examiner can normally be reached on Monday-Friday from 8:00am to 5:00pm.

14. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Marsha D. Banks-Harold can be reached on (703) 305-4379, and fax number is (703) 746-9818. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9301.

15. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose number is (703) 305-4700 or call customer service at (703) 306-0377.

Ismael Quiñones

I.Q.

September 24, 2004

RAFAEL PEREZ-GUTIERREZ
PATENT EXAMINER
10/1/04